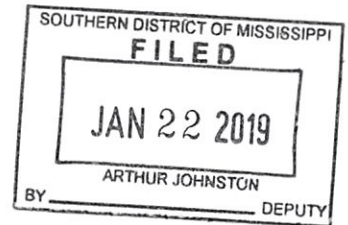


U.S.D.C. / Clerk

501 E. Court Street, Suite 2.500

Jackson MS. 39201



1:19cv24LGRHW

RE; Complaint for violation of Civil Rights of the 8th & 14th amendment of Plaintiff here-in Thomas Keith Coleman, M.D.O.C NO. K5716 in the aspect of Deliberat Indifference to his medical necessities by & through George County Regional Correctional Facility & it's Administration Security & Medical staff.

Comes Now; Plaintiff, Thomas Keith Coleman # K5716, brings the complaint afore mentioned to this Honorable United States District Court for the 19th Judicial District of the Southern Division.

Plaintiff here-in asserts aligations against George County Regional Correctional Facility (hence forth referd to as G.C.R.C.F) and it's Administration, Security & Medical staff for failure to provide necessary medical services in accordance with the 8th & 14th Amendment for Cruel and Unusual Punishment by Deliberat Indifference. The medical assistance requested by the Plaintiff here-in, and was refused to him by (G.C.R.C.F) & the staff there-of, has greatly interfeared with, disrupted and/or greatly limited the Plaintiff's physical ability for Employment, and/or to maintain his normal quality of life now and in the future, as done so before these violations occured.

Plaintiff here-in is asking for Actual & Punitive Monitory Damages as set forth here-in and can give Factual support there-to for Loss of Monitory Settelmen, Future Medical Assistance and compensation for his future disability.

Plaintiff; Thomas Keith Coleman / M.D.C No. K5714
Central MS. Correctional Facility
P.O Box 88550
Pearl MS. 39208

Defendants } In the service of George County Sheriff's Department
and/or George County Regional Correctional Facility,

Defendant No. 1. Keith Havard
Job title Sheriff of George County / Lucedale MS.
Shield No. U/K
Employer George County Sheriff's Office
Address 355 Cox Street
Lucedale MS, 39452

Complaint against / Individual ; Official capacity

Defendant No. 2. Bobby Fairley
Job title Warden of (G.C.R.C.F)
Shield No. U/K
Employer George County Regional Correctional Facility
Address 154 Industrial Park Rd.
Lucedale MS. 39452

Complaint against / Individual ; Official capacity

Defendant No. 3. John Moran
Job title Captain of (G.C.R.C.F)
Shield No. U/K
Employer George County Regional Correctional Facility
Address 154 Industrial Park Rd.
Lucedale MS. 39452

Complaint against / Individual ; official capacity

Defendant no. 4. Terry Rodgers
Job title Administrative Assistant of (G.C.R.C.F)
Shield No. U/K
Employer George County Regional Correctional Facility
Address 154 Industrial Park Rd.
Lucedale MS. 39452
Complaint against / Individual ; Official capacity

Defendant no. 5. Derrick Eubanks
Job title Head R.N (nurse) of (G.C.R.C.F)
Shield No. U/K
Employer George County Regional Correctional Facility
Address 154 Industrial Park Rd.
Lucedale MS. 39452
Complaint against / Individual ; Official capacity

Defendant no. 6. Ms. Christy (last name un-known)
Job title Assisting nurse of (G.C.R.C.F)
Shield No. U/K
Employer George County Regional Correctional Facility
Address 154 Industrial Park Rd.
Lucedale MS. 39452
Complaint against / Individual ; Official capacity

Basis of Jurisdiction

- (A) under 42 U.S.C § 1983, Plaintiff Thomas Keith Coleman # K57116 request to bring claim against, State or Local Officials (a 1983 claim)
- (B) Plaintiff contends that his 8th & 14th Amendments pursuant to the Constitution of the United States of America where violated by and through the State and local Officials of George County /
- (C) N/A

(D) The following defendants acted in collaboration & under the color of State or Local Law by violating the Plaintiff's right to Medical Treatment necessary to his well being; Sheriff, Keith Harvard, Warden - Bobby Fairley, Captain, John Moran, Administrative Assistant, Terry Rodgers, Head R.N (nurse) Derrick Eubanks & Assisting Nurse, Ms. Christy, (Last name un-known). Head R.N (nurse) Derrick Eubanks stated to me "The situation has to be handled by way of Chain of Command"

The plaintiff's request for medical assistance was addressed by the Named Defendants here-in according to their Rank through this chain of Command.

(Prisoner Status)

Plaintiff is a convicted & sentenced state prisoner & also a pre-trial detainee awaiting trial on pending charges.

(Statement of Claim)

Relevant Events) (A) Plaintiff fell from a roof top at his place of employment on February 18, 2016 through no fault of his own. His employer was Advanced Framing Materials Inc & was subcontracted to Yates Construction Inc. to build subsidised housing units in Waveland MS. / Plaintiff hired Personal Injury Attorney James K. Wetzel of Wetzel Law Firm, located at 1701 24th ave. Gulf Port MS. 39502. Plaintiff was refered by his Attorney to Orthopedic Dr. Henry Leis of Beinville Orthopedics located at 1720 Medical Park Dr. Biloxi MS. 39532, in the same month of February 2016 for a Fracture to his Left Talus, two broken ankles, & fractures to his right, 2nd, 3rd & 4th metatarsal bones in his right foot.

(B) On April 27, 2017 Plaintiff was arrested by George County Sheriff's Dept. on allegations of kicking a door to a home open with intent to kidnap an occupant of that home.

Plaintiff was placed in the custody of (G.C.R.C.F) with a hold for probation violation so he was unable to bond.

(C) Exact date & time of on-set Feb. 18, 2016 / 9:30 A.M

(D) Underlying Facts - Plaintiff fell 27 ft. to the ground breaking multiple bones in both feet & legs. He was told by his supervisor Jeff McKisic to perform work on the roof in the rain. / Safety personnel of Yates Const., employees of other sub-contracted companies & co-workers of the plaintiff was all witness to the fall.

Injuries

Plaintiff was placed in casts for afore mentioned injuries until he was able to bare weight on his lower extremities. He was then ordered to start rehabilitation sessions with Encore Rehab center of George Co. The sessions caused severe pain to plaintiff's left knee, he informed his orthopedic & was referred for an M.R.I scan at Beinville M.R.I center in Cedar Lake / Biloxi MS.. This scan revealed a severe tear to the plaintiff's A.C.L in the left knee. Plaintiff was seen by his Orthopedic 4-17-2017 where he was to receive orders for surgery for this injury but was delayed due to infection that had set in the lower left leg. Plaintiff was ordered to stop rehab sessions and was placed in an isolation boot for the right foot. Plaintiff was set for re-appointment on 5-21-2017, being arrested on 4-27-2017. Plaintiff informed Head R.N (nurse) Derrick Eubanks (G.C.R.C.F) staff medical of this situation. Plaintiff was not transported for any further treatments by his Orthopedic Dr.

(Relief Requested)

Because (G.C.R.C.F) repeatedly ignored documentation from the plaintiff's Attorney, Senior Claims agent of AmFed Ins. & Dr. Henry Leis to transport plaintiff to set appointments, as it was necessary treatment & (G.C.R.C.F) failure to comply, Plaintiff Respectfully Request for Actual Damages

The sum of One-Hundred and Fifty Thousand Dollars. Basis for this request is, that is the sum the plaintiff's Personal Injury Attorney appraised his injuries & future disabilities to be worth. Because of missed medical obligations, due to the negligence of (G.C.R.C.F's) staff & George County Sheriff's Dept.. Attorney Jeff Mottet for Amfed Insurance declined settlement.

Plaintiff Respectfully Request for punitive damages the sum of One-Hundred Million dollars from Each named Defendant here-in in their Individual & Official Capacity, for negligence that has and will in the future greatly effect the plaintiff's quality of life. Plaintiff also Respectfully Request ALL named defendants be reprimanded for misconduct & removed from their Official Capacity as they have Proven irresponsible to care for confined Human beings.

Exhaustion of Administrative Remedies Administrative Procedure

- (A) Plaintiff's claim does arise from being confined in the George Co. Regional jail.
- (B) (G.C.R.C.F) does have a grievance procedure in place.
- (C) This grievance procedure did cover Refusal of Medical Assistance.
- (D) Plaintiff did follow grievance procedure as set forth by (G.C.R.C.F) inmate handbook.
- (E) Plaintiff filed grievance at (G.C.R.C.F.)
- (2) Plaintiff claimed denile of Medical treatment.
- (3) Deposition of grievance was Warden Bobby Fairley bringning the Form to the Plaintiff personally & informing Plaintiff "The issue has been addressed the best it's going to be and if the plaintiff continues to persue the issue, Warden Fairley would personally see to the plaintiff being placed in solitary confinement where if after doin so the plaintiff could still write the Warden would make sure the plaintiff recieved no materials to do so with. Any further refrance to this

Matter would be thrown in the trash by his staff."

Head R.N (nurse) Derrick Eubanks responded by saying "The powers in command say there's no money in the jails budget for your surgery"

(4) After being confronted in this manner by Warden Bobbly Fairley Plaintiff made no attempt for appeal out of fear of retaliation by security staff. After re-commitment to M.D.O.C the Plaintiff took steps to obtain as much knowledge pertaining to his Rights and to gather as much Factual evidence that he could to give support to this claim. Plaintiff was informed he would have to obtain a court order to access any information retained by G.C.R.C.F but was assured "That wouldn't be much"

(F) /

(G) Plaintiff here-in is Laymen; a pauper. He had no knowledge of what else to do to exhaust the Administrative Process. The documents attached are the only documents the plaintiff was able to retrieve. These documents were presented to the (G.C.R.C.F) Officials to support his request of necessary medical treatment.

(Previous Lawsuits)

There are no State or Federal lawsuits filed to the plaintiff's knowledge that would bar him from this claims process.


Certificate of Closing

Under Federal rule of Civil Procedure 11, by signing below I certify to the best of my knowledge, information and belief that this claim (1) is not being presented for an improper purpose such as to harass, cause unnecessary delay or needlessly increase the cost of litigation; (2) is supported by existing law or by nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified

will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of rule 11.

I am a party without an Attorney and I agree to provide the Clerks Office with any changes to my address where case related papers can be served upon me. I understand that my failure to keep a current address on file with the Clerks Office may result in the dismissal of my case

Date of signing } January 14, 2019

Signature of Plaintiff: 

Printed name of Plaintiff: Thomas Coleman

Prison ID # ; K5716

Prison address

P.O Box 88550

Pearl MS. 39208